

SUMMARY OF EXAMINER INTERVIEW

A telephonic interview was held between the Examiner and Applicant's representative on April 26, 2007. Applicant's representative proposed amending the independent claims to clarify that the WWAN signal handling logic is within a WWAN module. The Examiner agreed that this amendment would overcome the present 102(c) rejection of claims 1, 9, and 23, because the VPN server of Tosey (US 2004/0068666) is external to the WWAN module (see Fig. 1).

REMARKS

The enclosed is responsive to the Examiner's Office Action mailed on February 2, 2007. At the time the Examiner mailed the Office Action claims 1-13 and 23-27 were pending. By way of the present response the Applicants have: 1) amended claims 1, 9, and 23; 2) added no new claims; and 3) canceled no claims. As such, claims 1-13 and 23-27 are now pending. The Applicants respectfully request reconsideration of the present application and the allowance of all claims now presented.

Claim Rejections

35 USC §102 Rejections

Claims 1, 6-7, 9, 23, 24, and 26 stand rejected under 35 U.S.C. § 102(c) as being considered to be anticipated by Tosey, U.S. Publication No. 2004/0068666 (hereinafter "Tosey").

For a 35 U.S.C. §102 reference to anticipate a claim, the reference must teach every element of the claim. Section 2131 of the MPEP recites: “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

With respect to independent claim 1, Applicant teaches and claims: “A method comprising: receiving a wireless wide area network (WWAN) signal; filtering, at a WWAN signal handling logic included within a WWAN module, information included in the WWAN signal; determining if an action is to be performed by a processor; and when the action is to be performed by the processor, and the processor is in a low power mode, determining from a filter policy if the information warrants the waking of the processor.”

Tosey does not disclose “...filtering, *at a WWAN signal handling logic included within a WWAN module*, information included in the WWAN signal; determining if an action is to be performed by a processor; and when the action is to be performed by the processor, and the processor is in a low power mode, determining from a filter policy if the information warrants the waking of the processor.” Emphasis added. The WWAN module of Tosey performs no filtering of information included in a WWAN signal. Assuming *arguendo* that filtering occurs in the system of Tosey, the filtering is performed by the VPN server (Fig. 1, 104) and not by the WWAN module (Fig. 1, 102). The VPN server of Tosey is external to the internet appliance that includes the WWAN module, and is connected to the WWAN module via a wireless network interface. Because a VPN (virtual private network) server typically connects to multiple networked devices to provide a secure, authenticated communication channel for each networked

device, it is unlikely that the capabilities of the VPN server of Tosey would be integrated into a WWAN module within the internet appliance of Tosey.

Therefore, Tosey does not disclose "...filtering, at a WWAN signal handling logic included within a WWAN module, information included in the WWAN signal; determining if an action is to be performed by a processor; and when the action is to be performed by the processor, and the processor is in a low power mode, determining from a filter policy if the information warrants the waking of the processor," as required by claim 1. Each of the other pending independent claims 9 and 23 recites limitations that are similar to the limitations of claim 1, although some differences may exist among the limitations of the other pending independent claims. These similar limitations nevertheless patentably distinguish claims 9 and 23 over Tosey. Therefore, for at least these reasons, applicant respectfully submits that Tosey does not anticipate all elements of independent claims 1, 9, and 23.

Claims 6 and 7 are dependent on independent claim 1. Claims 24 and 26 are dependent on independent claim 23. Thus, for at least the same reasons advanced above with respect to independent claims 1 and 23, applicant respectfully submits that Tosey does not anticipate all elements of dependent claims 6, 7, 24, and 26.

35 U.S.C. 103(a) Rejections

In order to establish a prima facie case of obviousness:

"First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a

reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” In re Vacch, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). Manual of Patent Examining Procedure (MPEP), 8th Edition, August 2001, §2143.

Claims 8 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tosey, U.S. Publication No. 2004/0068666 (hereinafter “Tosey”).

As described above with respect to claims 1 and 23, Tosey does not teach or suggest “...filtering, at a WWAN signal handling logic included within a WWAN module, information included in the WWAN signal; determining if an action is to be performed by a processor; and when the action is to be performed by the processor, and the processor is in a low power mode, determining from a filter policy if the information warrants the waking of the processor.” Claim 8 is dependent on claim 1. Claim 25 is dependent on claim 23. Thus, for at least the reasons stated above with respect to claims 1 and 23, the examiner has not established a prima facie case of obviousness, and claims 8 and 25 are in condition for allowance.

Claims 2-5, 10-13 and 27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Tosey, U.S. Publication No. 2004/0068666 (hereinafter “Tosey”) in view of Zmudzinski, et al., U.S. Publication No. 2004/0128310 (hereinafter “Zmudzinski”).

Neither Tosey nor Zmudzinski teach or suggest “...filtering, at a WWAN signal handling logic included within a WWAN module, information included in the WWAN signal; determining if an action is to be performed by a processor; and when the action is to be performed by the processor, and the processor is in a low power mode, determining

from a filter policy if the information warrants the waking of the processor,” as claimed in claim 1. Claims 9 and 23 contain similar limitations. Claims 2-5, 10-13, and 27 are dependent upon claims 1, 9, and 23, respectively.

Because Zmudzinski does not teach what is missing from Tosey, and the combination does not teach or suggest all claim limitations, a prima facie case of obviousness has not been established for claims 2-5, 10-13, and 27.

In light of the comments above, the Applicant respectfully requests the allowance of all claims.

CONCLUSION

Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 50-0221. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Cyndi M. Wheeler at (916) 356-5358.

Respectfully Submitted,

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